

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

AL BEAMER, et al.	)	CASE NO. C-1-02-013
	)	
Plaintiffs,	)	JUDGE SPIEGEL
	)	
-vs-	)	
	)	
NETCO, INC., et al.	)	<b><u>STIPULATED DISMISSAL OF COUNT III</u></b>
	)	<b><u>ONLY</u></b>
Defendants.	)	
	)	

Now comes Plaintiff, by and through counsel, pursuant to Rule 41(a)(1), of the Federal Rules of Civil Procedure and hereby dismisses by stipulation Count III of Plaintiff's Complaint. Plaintiff by stipulation is dismissing the claims of intentional infliction of emotional distress. The remaining Counts in the Complaint as to Defendants Netco and John Baumgart remain.

Respectfully submitted,

/s/ Richard C. Haber

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CERTIFICATE OF SERVICE

I hereby certify that on November 11, 2003 a copy of the foregoing Stipulated Dismissal of Count III ONLY was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/Richard C. Haber

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